

**STATE OF WISCONSIN**  
**Assembly Journal**  
**Eighty-Ninth Regular Session**

9:30 A.M.

THURSDAY, March 1, 1990

The assembly met.

Speaker pro tempore Clarenbach in the chair.

The prayer was offered by Wood.

Representative Holschbach led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, C., Potter, R., Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 97.

Absent — None.

Absent with leave — None.

Vacancies — 10th and 14th Assembly Districts — 2.

**AMENDMENTS OFFERED**

Assembly amendment 1 to **Assembly Resolution 27** offered by Representative Medinger.

Assembly amendment 1 to **Assembly Joint Resolution 2** offered by committee on Ways and Means.

Assembly amendment 2 to **Assembly Joint Resolution 2** offered by committee on Ways and Means.

Assembly amendment 2 to **Assembly Bill 23** offered by committee on Ways and Means.

Assembly amendment 3 to **Assembly Bill 23** offered by committee on Ways and Means.

Assembly substitute amendment 4 to **Assembly Bill 379** offered by Representative Gronemus.

Assembly amendment 1 to assembly amendment 2 to **Assembly Bill 583** offered by committee on Natural Resources.

Assembly amendment 3 to **Assembly Bill 583** offered by committee on Natural Resources.

Assembly amendment 4 to **Assembly Bill 583** offered by committee on Natural Resources.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 699** offered by Representative C. Potter.

Assembly amendment 10 to **Assembly Bill 701** offered by Representative Lewis.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 701** offered by Representative Zweck.

Assembly amendment 1 to **Assembly Bill 744** offered by Representative Johnsrud.

Assembly amendment 1 to **Assembly Bill 811** offered by committee on Highways.

Assembly amendment 1 to **Assembly Bill 812** offered by Representative Hauke.

Assembly amendment 1 to **Assembly Bill 835** offered by committee on Highways.

Assembly amendment 1 to **Assembly Bill 873** offered by committee on Highways.

Assembly amendment 1 to **Assembly Bill 890** offered by Representative Medinger.

Assembly amendment 1 to **Senate Bill 326** offered by committee on Criminal Justice and Public Safety.

**ADMINISTRATIVE RULES**

Read and referred:

**Assembly Clearinghouse Rule 89-23**

Relating to the control of potato rot nematode.

Submitted by Department of Agriculture, Trade and Consumer Protection.

To committee on Agriculture.

Referred on March 1, 1990.

**Assembly Clearinghouse Rule 89-90**

Relating to the requirement that operators of swap meets, craft fairs, flea markets and similar events identify vendors at these events for sales and use tax purposes.

Submitted by Department of Revenue.

To committee on Ways and Means.

Referred on March 1, 1990.

**Assembly Clearinghouse Rule 89-148**

Relating to both sale events conducted away from the licensed premises of a dealer and certain sales activities the department may permit after suspension, revocation or denial of a motor vehicle dealer license.

Submitted by Department of Transportation.

To committee on Commerce and Consumer Affairs.

Referred on March 1, 1990.

**Assembly Clearinghouse Rule 90-1**

Relating to inmate complaint review system.

Submitted by Department of Corrections.

To committee on Family Law and Corrections.

Referred on March 1, 1990.

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INTRODUCTION AND REFERENCE  
OF PROPOSALS

Read first time and referred:

**Assembly Resolution 30**

Relating to a legislative council study of the university of Wisconsin system faculty and academic staff compensation.

By Representative Loftus.

To committee on Colleges and Universities.

**Assembly Joint Resolution 129**

Relating to memorializing congress, the President of the United States and the federal Environmental Protection Agency to honor the United States Canadian Great Lakes Agreement.

By Representatives Seery, Young, Stower, Musser, R. Potter, C. Potter, Van Gorden, Lorge, Boyle, Gard, Plache, Underheim, Huber, Vanderperren, Schneiders, Notestein, Van Dreel, Hinkfuss, Barca, Schmidt, Zien and Schultz, cosponsored by Senators Van Sistine, Burke, Ulichny, Farrow, Cowles, Lasee and Lorman.

To committee on Environmental Resources and Utilities.

**Assembly Joint Resolution 130**

Relating to requesting the legislative council to study standards of conduct for officers and employes of counties, cities, villages, towns and school districts.

By Representatives Zeuske, Duff, Johnsrud, Musser, Gard and Zien, cosponsored by Senators Davis, Cowles, Barrett and Rude.

To committee on State Affairs.

COMMITTEE REPORTS

The committee on Agriculture reports and recommends:

**Assembly Bill 814**

Relating to handling diseased animals, an implied warranty that animals are uninfected with paratuberculosis, and granting rule-making authority.

Passage: Ayes: (15) Noes: (1)

To committee on Rules.

BARBARA GRONEMUS

Chairperson

The Select Committee on Health Care Financing reports and recommends:

**Assembly Bill 476**

Relating to creating a state basic benefits health insurance plan and a board of governors and a council to oversee the plan, sales of basic benefits health insurance policies by private insurers, health care taxes and income tax credits, the health insurance risk-sharing plan, health care insurance premium subsidies for low-income persons, creating a physician loan assistance program, providing health care development grants and primary care outreach grants, creating a council on health care development and a council on physician loans, granting rule-making authority, making appropriations and imposing penalties.

Adoption of assembly substitute amendment 1:

Ayes: (13) Noes: (1)

Passage: Ayes: (9) Noes: (5)

To Joint Committee on Finance.

LOUIS FORTIS

Chairperson

The committee on State Affairs reports and recommends:

**Assembly Bill 889**

Relating to division administrator positions for the state historical society and executive salary group reassignment of the historical society director position.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

**Assembly Joint Resolution 108**

Relating to memorializing congress to enact a uniform age of majority.

Adoption: Ayes: (8) Noes: (3)

To committee on Rules.

**Assembly Joint Resolution 110**

Relating to publishing lists of persons convicted of crimes related to prostitution.

Adoption: Ayes: (11) Noes: (0)

To committee on Rules.

**Assembly Joint Resolution 117**

Relating to declaring May 29 to June 3, 1990, as National Theater Week.

Adoption: Ayes: (11) Noes: (0)  
To committee on Rules.

**Senate Joint Resolution 61**

Relating to expressing support for efforts to improve the nation's and our state's air transportation system.

Adoption of assembly substitute amendment 1:  
Ayes: (11) Noes: (0)

Concurrence: Ayes: (9) Noes: (2)  
To committee on Rules.

JOHN MEDINGER  
Chairperson

The committee on Tourism, Recreation and Government Operations reports and recommends:

**Assembly Bill 526**

Relating to retirement reciprocity and granting rule-making authority.

Adoption of assembly amendment 1 to assembly substitute amendment 1:  
Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)  
To committee on Rules.

LARY SWOBODA  
Chairperson

The committee on Urban and Local Affairs reports and recommends:

**Assembly Bill 435**

Relating to state capitol view preservation.

Adoption of assembly substitute amendment 1:  
Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)  
To committee on Rules.

G. SPENCER COGGS  
Chairperson

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MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

**Assembly Joint Resolution 120**  
**Assembly Joint Resolution 128**  
**Assembly Bill 585**

Passed and asks concurrence in:

**Senate Bill 10**  
**Senate Bill 311**

**Senate Bill 386**

**Senate Bill 406**

Concurred in as amended:

**Assembly Bill 218** (Senate amendment 2 adopted)

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ACTION ON THE SENATE MESSAGE

**Assembly Bill 218**

Relating to discrimination against students in the university of Wisconsin system and the vocational, technical and adult education system and granting rule-making authority.

By Representatives Notestein, Rohan, Nelsen, Panzer, Loftus, Clarenbach, M. Coggs, Loucks, Underheim, Krug, Seery, Medinger, Bell, Duff, Lewis, Plache, Young, Black, Lautenschlager, Bock, Lorge, S. Coggs, Barrett, Larson, Robson, Moore, Carpenter, Zeuske, Schneiders, Barca, Zweck, Lepak, Gruszynski, Wineke, Huber, Foti, Boyle, Fortis, Fergus, Travis, Holperin, Antaramian, Baldus, Holschbach, Hasenohrl, Vanderperren, Klusman, Hinkfuss, Lahn, Hubler, Stower and Rosenzweig, cosponsored by Senators Czarnecki, Lorman, Risser, Te Winkle, Feingold, Andrea, Burke, Plewa, Chvala, Ulichny and Strohl.

To calendar.

**Senate Bill 10**

Relating to liability for damages to rental private passenger vehicles and providing a penalty.

By Senators Plewa, Risser, Van Sistine, Rude, Te Winkle, Kreul, Lee, Cowles, Kincaid, Chilsen, Helbach and Burke; cosponsored by Representatives Young, Black, Tesmer, Goetsch, Barrett, Ladwig, Bell, Musser, Grobschmidt, Underheim, M. Coggs, Schultz, Roberts, Schneiders, Krug, Notestein, Panzer, Fortis, Lewis and Bolle, by request of Attorney General Donald Hanaway and Commissioner of Insurance Robert Haase.

To committee on Commerce and Consumer Affairs.

**Senate Bill 311**

Relating to employment relations for members of the university of Wisconsin system academic staff.

By Senators Helbach, Strohl, Risser, Czarnecki, Jauch, Van Sistine, Chvala, Andrea, Moen, Te Winkle, Feingold, Kincaid, Plewa and Burke; cosponsored by Representatives Gruszynski, Loftus, Hauke, Clarenbach, Rohan, M. Coggs, Travis, Bell, S. Coggs, Larson, Carpenter, Musser, Grobschmidt, Notestein, Boyle, Moore, Hamilton, Stower, Potter, Hasenohrl, Vanderperren, Lautenschlager, Barca, Huber, Roberts, Gronemus, Lepak, Lorge, Ladwig, Bock, Seery, Baldus, Linton, Medinger, Schmidt, Van Dreel, Fortis, Hinkfuss, Black, Plache, Thompson and Robson.

To committee on Colleges and Universities.

**Senate Bill 386**

Relating to participation of pharmacists in limited service health organizations and preferred provider plans.

By Senators Andrea, Feingold, Rude and Van Sistine; cosponsored by Representatives Barca, Clarenbach, Porter, Stower, Duff, Medinger, Hamilton, Tregoning, Roberts, Moore, Holperin, Bolle, Zeuske, Lorge and Rohan.

To committee on Rules.

**Senate Bill 406**

Relating to special distinguishing vehicle plates for retired members of the U.S. army, navy, air force, coast guard and marine corps.

By Senators Moen, Andrea and Van Sistine; cosponsored by Representatives Vanderperren, Baldus, Stower, Moore, Lewis, Carpenter, Lorge, Holschbach, R. Potter and Lahn.

To committee on Highways.

- Clearinghouse Rule 89-125 effective 3-1-90
- Clearinghouse Rule 89-137 effective 3-1-90
- Clearinghouse Rule 89-144 effective 3-1-90
- Clearinghouse Rule 89-147 effective 3-1-90
- Clearinghouse Rule 89-153 effective 3-1-90
- Clearinghouse Rule 89-156 effective 3-1-90
- Clearinghouse Rule 89-166 effective 3-1-90

Sincerely,  
GARY L. POULSON  
Assistant Revisor

February 19, 1990

Speaker Tom Loftus  
Room 211 West, State Capitol  
Madison, WI 53702

Dear Speaker Loftus:

I have appointed a Subcommittee on Cranberry Law of the Assembly Natural Resources Committee.

Subcommittee members are:

- Rep. Spencer Black, Chair
- Rep. Tom Ourada, Vice-Chair
- Rep. Tom Seery

The following persons will serve in an advisory capacity:

- George Meyer, Department of Natural Resources
- Cy Lyle, Wisconsin Audubon Council
- Dick Kraus, Wisconsin Trout Unlimited
- Elmer Goetsch, Wisconsin Federation of Lakes
- John Swendrowski, President  
Northland Cranberries, Inc.
- Ryan Walker, Walker Cranberry Company
- Craig Scott, Scott Cranberry Marsh, Inc.
- Tom Lochner, Executive Director  
Wisconsin State Cranberry Growers Association
- Tom Dawson, Public Defender

Sincerely,  
SPENCER BLACK  
State Representative

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

To the Honorable, the Assembly:

The following bill, originating in the assembly, has been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Act No.	Date Signed
533-----	123 -----	February 23, 1990

Respectfully submitted,  
TOMMY G. THOMPSON  
Governor

**COMMUNICATIONS**

March 1, 1990

Honorable Donald J. Schneider  
Honorable Thomas T. Melvin

Dear Chief Clerks:

The following rules have been published:

- Clearinghouse Rule 88-32 effective 3-1-90
- Clearinghouse Rule 88-169 effective 3-1-90
- Clearinghouse Rule 89-13 effective 3-1-90
- Clearinghouse Rule 89-39 effective 3-1-90
- Clearinghouse Rule 89-51 effective 3-1-90
- Clearinghouse Rule 89-88 effective 3-1-90
- Clearinghouse Rule 89-99 effective 3-1-90
- Clearinghouse Rule 89-104 effective 3-1-90
- Clearinghouse Rule 89-105 effective 3-1-90
- Clearinghouse Rule 89-108 effective 3-1-90
- Clearinghouse Rule 89-113 effective 3-1-90
- Clearinghouse Rule 89-124 effective 3-1-90

**SPEAKER'S APPOINTMENTS**

Special Committee on Bonding for Clean Water

- Mary Lou Van Dreef, Chairperson
- Leo Hamilton, Vice-Chairperson
- Spencer Black
- Tom Seery
- Lary Swoboda
- Dale Schultz
- Al Ott
- Marc Duff
- Sheila Harsdorf

JOURNAL OF THE ASSEMBLY [March 1, 1990]

February 21, 1990

Representative Steve Foti  
Room 131A South, State Capitol  
Madison, WI 53702

Dear Steve,

This is to notify you of your appointment as a member of the Assembly Ways and Means Committee, effective immediately.

Sincerely,  
TOM LOFTUS  
Speaker

February 27, 1990

Representative Gregg Underheim  
100 N. Hamilton, Room 412  
Madison, WI 53702

Dear Representative Underheim,

This is to notify you of your appointment as a member of the Assembly Tourism, Recreation and Government Operations Committee, effective immediately.

Sincerely,  
TOM LOFTUS  
Speaker

February 27, 1990

Representative Frank Urban  
310 West, State Capitol  
Madison, WI 53702

Dear Representative Urban,

This is to notify you of your appointment as a member of the Assembly Children and Human Services Committee, effective immediately.

Sincerely,  
TOM LOFTUS  
Speaker

Representative Gruszynski asked unanimous consent that the assembly stand recessed for 15 minutes. Granted.

The assembly stood recessed.

9:36 A.M.

RECESS

11:40 A.M.

The assembly reconvened.

CALENDAR OF THURSDAY, MARCH 1

**Assembly Bill 174**

Relating to certain criminal and civil actions respecting injury to a person or property caused by animals and providing a penalty.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 174** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 174** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 174** be given a third reading. Granted.

The question was: **Assembly Bill 174** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 174** be immediately messaged to the senate. Granted.

**Assembly Bill 575**

Relating to garnishment of depository accounts.

Assembly substitute amendment 2 to **Assembly Bill 575** offered by Representatives Wineke, Deininger, Urban and Fortis.

POINT OF ORDER

Representative Rutkowski rose to the point of order that assembly substitute amendment 2 to **Assembly Bill 575** was not germane under Assembly Rule 54(3).

The chair took the point of order under advisement.

**Assembly Bill 649**

Relating to qualifications of the state health officer.

Assembly amendment 1 to **Assembly Bill 649** offered by Representatives Lepak and Robson.

Representative Rosenzweig moved that **Assembly Bill 649** be referred to the Special Committee on Public Health.

The question was: Shall **Assembly Bill 649** be referred to the Special Committee on Public Health?

The roll was taken.

The result follows:

Ayes — Representatives Brancel, Brandemuehl, Coleman, Deininger, Duff, Foti, Gard, Goetsch, Harsdorf, Huelsman, Johnsrud, Klusman, Krug, Ladwig, Lahn, Larson, Lehman, Lewis, Lorge, Loucks, Musser, Ott, Ourada, Panzer, Porter, Prosser, Radtke,

Rosenzweig, Schmidt, Schneiders, Schultz, Thompson, Tregoning, Turba, Underheim, Urban, Van Gorden, Vergeront, Walling, Welch, Williams, Wimmer, Wood, Zeuske and Zien — 45.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Krusick, Kunicki, Lautenschlager, Lepak, Linton, Medinger, Moore, Notestein, Plache, Potter, C., Potter, R., Roberts, Robson, Rohan, Rutkowski, Schneider, Seery, Stower, Swoboda, Travis, Van Dreel, Vanderperren, Volk, Wineke, Young, Zweck and Speaker Loftus — 52.

Absent or not voting — None.

Motion failed.

The question was: Shall assembly amendment 1 to **Assembly Bill 649** be adopted?

Motion carried.

Representative Rosenzweig moved indefinite postponement of **Assembly Bill 649**.

The question was: Shall **Assembly Bill 649** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes — Representatives Brancel, Brandemuehl, Coleman, Deininger, Duff, Foti, Gard, Goetsch, Harsdorf, Huelsman, Johnsrud, Klusman, Krug, Ladwig, Lahn, Larson, Lehman, Lewis, Lorge, Loucks, Musser, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schmidt, Schneiders, Schultz, Tregoning, Turba, Underheim, Urban, Van Gorden, Vergeront, Walling, Welch, Williams, Wimmer, Wood, Zeuske and Zien — 44.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Krusick, Kunicki, Lautenschlager, Lepak, Linton, Medinger, Moore, Notestein, Plache, Potter, C., Potter, R., Roberts, Robson, Rohan, Rutkowski, Schneider, Seery, Stower, Swoboda, Thompson, Travis, Van Dreel, Vanderperren, Volk, Wineke, Young, Zweck and Speaker Loftus — 53.

Absent or not voting — None.

Motion failed.

The question was: Shall **Assembly Bill 649** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 649** be given a third reading.

Representative Rosenzweig objected.

#### **Assembly Bill 669**

Relating to fraud on hotel or restaurant keeper, absconding without paying rent and providing penalties.

Representative Hauke asked unanimous consent that **Assembly Bill 669** be placed on the twelfth order of business on the calendar of Thursday, March 8. Granted.

#### **Senate Bill 292**

Relating to review of applications for approval of certain additional beds or of certain activities by a nursing home under the resource allocation program of the department of health and social services; reporting information concerning cancer to the department of health and social services; applying certain insurance laws to federally regulated self-insured health and disability plans; the telecommunications assistance program; medical assistance eligibility of children in certain adoption placements; assignment by medical assistance recipients of rights to payment of medical expenses; treatment of income in determining eligibility for medical assistance; recovery of public assistance overpayments; and verification of eligibility for certain public assistance benefits (suggested as remedial legislation by the department of health and social services).

Representative Hauke asked unanimous consent that **Senate Bill 292** be laid on the table. Granted.

Representative Zeuske asked unanimous consent to be recorded as voting "No" on the question of concurrence in **Senate Bill 142** taken on Tuesday, February 13. Granted.

Representative Gronemus asked unanimous consent that the assembly adjourn in honor of her granddaughter Colleen Carroll who will celebrate her eighteenth birthday tomorrow. Granted.

Representative Gronemus asked unanimous consent that the assembly adjourn in honor of Joe Kokott who passed away yesterday, February 28, 1990. Granted.

Representative Zien asked unanimous consent that the assembly adjourn in honor of his cousins Scott and Kevin Bruhn from Cadott, who placed second and third respectively in the State Wrestling Championships. Granted.

Representative Johnsrud asked unanimous consent that the assembly adjourn in honor of National Pig Day. Granted.

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Representative Hasenohrl asked unanimous consent that the assembly adjourn in honor of Representative Vanderperren, who will celebrate his seventy-eighth birthday on Sunday, March 3, 1990. Granted.

Representative Hamilton asked unanimous consent that the assembly adjourn in honor of he and his wife Irene's thirty-ninth wedding anniversary. Granted.

Representative Schneider asked unanimous consent that the assembly adjourn in honor of Cassandra Kitto, who was born this morning, daughter of Vicki Holten and John Kitto. Granted.

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VISITORS

During today's session, the following visitors honored the assembly by their presence and were welcomed by the presiding officer and the members:

Students from Oconomowoc Senior High School, guests of Representative Foti.

Bob Knowles Jr. and Angel Konczal from New Richmond, guests of Representative Harsdorf.

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Representative Hauke moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, March 6.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:32 P.M.